

**REMARKS**

Claims 1-6, 8 and 12-25 were previously pending in the application. By the Amendment, Claims 1 and 16 are currently amended, Claims 2, 4-6, 8, 15 and 20-25 are canceled without prejudice, and Claims 3, 12-14 and 17-19 remain unchanged.

The Examiner objected to the abstract. Applicants have amended the abstract to make the appropriate correction.

Claims 1-6, 8 and 12-23 were rejected under 35 USC §102(b) as being anticipated by Monti (US 3,126,590). Claims 1, 12-14 and 20-25 were rejected under 35 USC §103(a) as being unpatentable over Pasqualini (US 4,617,759) in view of McAlarney (US 4,138,049).

Independent Claim 1 recites a refrigerator door, comprising: an outer paneling having a free edge portion and being made from a metallic material; an inner paneling having an edge portion and being made from metallic material, said inner paneling spaced from said outer paneling; a thermal insulation layer produced by foaming, said thermal insulation layer disposed between said outer paneling and said inner paneling; a thermally insulating couple being a fastening element of a door seal and connecting said edge portion to said free edge portion, said couple substantially thermally uncoupling said edge portion from said free edge portion, the thermally insulating couple comprising a plastic profile including a first holding end forming a first groove-like receptacle engaging the free-edge portion, a second holding end forming a second groove-like receptacle engaging, and an undercut receiving groove disposed between the first and second holding ends; and a magnetic seal including a seal foot projecting outwardly from the magnetic seal and engaging the undercut receiving groove of the plastic profile.

Monti does not disclose, among other things, “a plastic profile including a first holding end forming a first groove-like receptacle engaging the free-edge portion, a second holding end forming a second groove-like receptacle engaging, and an undercut receiving groove disposed between the first and second holding ends.” Rather, as shown in Fig. 2 of Monti, the hollow channel (64) is located at an end of the gasket retaining

assembly (50) and the slots (60, 84) are located near the other end of the gasket retaining assembly (50).

For these and other reasons, Monti does not disclose the subject matter defined by independent Claim 1. Claims 12-14 depend from Claim 1 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Pasqualini does not disclose, among other things, "an inner paneling having an edge portion and being made from metallic material," as recited in Claim 1. Rather, Pasqualini specifically states that the inner counter door (17) is made from plastic. McAlarney discloses overlapping edges of wall portions (13, 14) made from metal.

There is no teaching, suggestion or motivation in the prior art to combine Pasqualini and McAlarney. Pasqualini specifically teaches that the inner counterdoor (17) should be made from plastic. Metal doors were known at the time of the Pasqualini reference. In fact, the McAlarney reference issued seven years before the Pasqualini reference and both references are assigned to the same company. However, Pasqualini clearly teaches that plastic is the preferred material for the inner counterdoor (17) for this specific application. Pasqualini provides extensive discussion of the elastically yielding flanges of the profile (1) that engage the steel door shell (16) and the plastic inner counterdoor (17) with a press snap fit. This assembly process of Pasqualini may be altered by substituting a metal inner door for the disclosed plastic inner counterdoor (17).

In addition, McAlarney teaches away from the claimed invention. As shown in Figs. 1 and 3 of McAlarney, the overlapping edges of the metal wall portions (13, 14) directly contact one another. This is exactly the type of configuration the claimed invention of the present application is trying to avoid. As disclosed in the present application, the plastic profile thermally insulates the metal inner panelling from the metal outer panelling to restrict heat from being transferred between the parts. McAlarney discloses the exact opposite configuration with the metal inner and outer doors portions directly contacting one another and allowing heat to be easily transferred between the door portions. Furthermore, Pasqualini does not encounter this problem because Pasqualini teaches the inner door made from plastic, which generally thermally

insulates itself from the metal outer door. Therefore, McAlarney teaches away from the claimed invention and it would not be obvious to one of ordinary skill in the art to modify Pasqualini with the teachings of McAlarney.

For these and other reasons, Pasqualini and McAlarney, either alone or in combination, do not teach or suggest the subject matter defined by independent Claim 1. Claims 12-14 depend from Claim 1 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Independent Claim 16 recites a refrigerator door, comprising: an outer paneling having a free edge portion and being made from a metallic material; an inner paneling having an edge portion and being made from metallic material, said inner paneling spaced from said outer paneling, and said free edge portion and said edge portion being offset from one another in parallel planes; a thermal insulation layer produced by foaming, said thermal insulation layer disposed between said outer paneling and said inner paneling; a thermally insulating couple connecting said edge portion to said free edge portion, said couple substantially thermally uncoupling said edge portion from said free edge portion, the thermally insulating couple comprising a plastic profile including a first holding end forming a first groove-like receptacle engaging the free-edge portion, a second holding end forming a second groove-like receptacle engaging, and an undercut receiving groove disposed between the first and second holding ends; and a magnetic seal including a seal foot projecting outwardly from the magnetic seal and engaging the undercut receiving groove of the plastic profile.

As described above in relation to Claim 1, Monti does not disclose, among other things, "a plastic profile including a first holding end forming a first groove-like receptacle engaging the free-edge portion, a second holding end forming a second groove-like receptacle engaging, and an undercut receiving groove disposed between the first and second holding ends." Rather, as shown in Fig. 2 of Monti, the hollow channel (64) is located at an end of the gasket retaining assembly (50) and the slots (60, 84) are located near the other end of the gasket retaining assembly (50).

For these and other reasons, Monti does not disclose the subject matter defined by independent Claim 16. Claims 3 and 17-19 depend from Claim 16 and are allowable for the same reasons and also because they recite additional patentable subject matter.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 1, 3, 12-14 and 16-19 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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October 20, 2006

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